REMARKS

At the outset, by the present amendment, in light of the rejection of claims 1-38 under 35 U.S.C. §112, second paragraph, as being indefinite in that the claims recite "said" plurality of pixels in an other of said one block units, all such claims containing such language have been amended to recite "a" plurality of pixels in an other of said one block units so that the indefiniteness pointed out by the Examiner should now be overcome. Applicants submit that by such amendment, the rejection of the claims under 35 U.S.C. §112, second paragraph, should now be overcome and all claims should be considered to be in compliance with 35 U.S.C. §112, second paragraph.

Applicants note that although the Examiner has set forth a rejection of many of the claims over the cited art, claims 33, 34 and 35 do not stand rejected over any cited art and in light of the amendment of the parent claims of claims 33, 34 and 35 to overcome the rejection under 35 U.S.C. §112, second paragraph, as pointed out above, applicants submit that at least claims 33, 34 and 35 should now be in condition for allowance. It is noted that such claims are dependent claims, and such claims have been retained in dependent form at this time, since applicants submit that the parent claims also should now be in condition for allowance, as will be discussed below.

With regard to the rejection of claims 1-3, 5 and 8-10 under 35 U.S.C. 102(e) as being anticipated by Akimoto et al, US 6,329,973, this rejection is traversed insofar as it is applicable to the present claims in that, by the present amendment, independent claims 1 and 2 have been canceled, with dependent claims 3, 5 and 8-10 being amended to depend from claim 4, which has been written in independent form to incorporate the features of parent claim 1 therein in compliance with 35 U.S.C 112 and which claim 4 stands rejected under 35 U.S.C. 103(a) as being

unpatentable over Akimoto et al. Thus, it is apparent that the rejection under 35 U.S.C. 102(e) is not applicable to claim 4 and likewise, by the present amendment, the rejection of claims 3, 5 and 8-10 under 35 U.S.C. 102(e) as being anticipated by Akimoto et al is also no longer applicable to such claims in light of the amended dependency thereof to depend from claim 4. Accordingly, applicants submit that the rejections as set forth in the Office Action based upon Akimoto et al under 35 U.S.C. 102(e) have been obviated.

As noted above, claim 4 has been rewritten in independent form and likewise, claims 6 and 7 have been written in independent form incorporating the features of parent claim 1 therein, while being amended to overcome the rejection under 35 U.S.C. §112, second paragraph. Additionally, a new dependent claim 39 dependent from claims 4, 6 or 7 has been presented, reciting the features of independent claim 2 which differs from the features of independent claim 1, such that the same subject matter previously presented in multiple dependent claims 4, 6 and 7 has been presented.

As to the rejection of claim 4 under 35 U.S.C. 103(a) as being unpatentable over Akimoto (Akimoto et al US 6,329,973), the rejection of claim 6 under 35 U.S.C. 103(a) as being unpatentable over Akimoto in view of Akiyama, US 5,952,991; the rejection of claim 7 under 35 U.S.C. §103(a) as being unpatentable over Akimoto in view of Shibahara, US 6,104,463; the rejection of claims 11-12, 15 and 36-38 under 35 U.S.C. §103(a) as being unpatentable over Akimoto in view of Miyoshi, US 6,339,446 B1; the rejection of claims 13-14, 17-23, 26-30 and 32 under 35 U.S.C. §103(a) as being unpatentable over Akimoto and Miyoshi and further in view of Shibahara; and the rejection of claims 16, 24-25 and 31 under 35 U.S.C. §103(a) as being unpatentable over Akimoto, Miyoshi and Shibahara and further in view of Nakakuki, US 6,160,593; such rejections are traversed in that applicants submit that Akimoto (Akimoto et al US 6,329,973), which is utilized in each of the

aforementioned rejections is not properly utilizable in rejecting claims of this application in light of 35 U.S.C. 103(c).

Applicants note that Akimoto (Akimoto et al US 6,329,973) is assigned to Hitachi, Ltd. and the present application is also commonly assigned to Hitachi, Ltd. As is apparent, the Examiner has utilized Akimoto under 35 U.S.C. 102(e) and in accordance with 35 U.S.C. 103(c), subject matter developed by another person, which qualifies as prior art only under one or more subsections (e), (f), and (g) of section 102 of this title shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. As is apparent, the conditions of 35 U.S.C. 103(c) are met by the rejection as set forth, and applicants submit that Akimoto et al is not properly utilizable in rejecting claims of this application under 35 U.S.C. 103(a) in light of 35 U.S.C. 103(c), such that all of the rejections as set forth necessarily fall. Accordingly, applicants submit that all claims present in this application patentably distinguish over the cited art in the sense of 35 U.S.C. 103 and should be considered allowable thereover.

Applicants note that irrespective of the Examiner's position concerning the disclosure of Akimoto et al and the cited art, applicants submit that Akimoto et al and the other cited art fail to disclose or teach the claimed features for the reasons previously set forth. More particularly, irrespective of the position set forth by the Examiner, Akimoto et al does not disclose taking each of a predetermined number of pixels as one block unit, forming one screen image of a plurality of one block units, wherein at least two of the one block units have different information in the manner set forth in the independent and dependent claims of this application. Additionally, while the Examiner contends that Shibahara discloses a lighting device for moving light emitting region in synchronism with a scanning signal applied to the scanning

line, referring to col. 4, lines 9-67; col. 5, lines 1-48; col. 7, lines 25-67; and col. 8, lines 1-10, applicants submit that Shibahara fails to teach or suggest that the light emission control means of the lighting device moves or shifts a light emitting region in synchronism with a scanning signal as recited in the claims of this application. Applicants note that such features are set forth in various claims of this application, including claims 17, 26, 27, 32 and 35, for example. Likewise, irrespective of the Examiner's utilization of the other cited art, applicants note that the Examiner has engaged in a hindsight reconstruction attempt taking bits and pieces of the prior art and suggesting that it would be obvious to utilize the same which is not the standard of 35 U.S.C. 103. See In re Fine, 5 USPQ 2d 1596 (Fed. Cir. 1988). Thus, applicants submit that as pointed out above, Akimoto et al is not properly utilizable in rejecting claims under 35 U.S.C. 103 and the other cited art, as recognized by the Examiner fail to disclose the claimed features and cannot be properly combined to provide the recited features as suggested by the Examiner. Thus, all claims present in this application patentably distinguish over the cited art and should now be in condition for allowance.

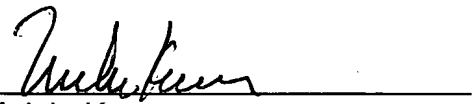
Again, applicants note that the claims have been amended in a manner which is considered to overcome the rejection under 35 U.S.C. §112, second paragraph, and claims 33-35 have not been rejected over the cited art, such that these claims should remain in condition for allowance.

In view of the above amendments and remarks, applicants submit that all claims present in this application should now be in condition for allowance, and issuance of an action of a favorable nature is courteously solicited.

To the extent necessary, applicant's petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing

of this paper, including extension of time fees, to Deposit Account No. 01-2135 (503.39966X00) and please credit any excess fees to such deposit account.

Respectfully submitted,



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